

FILED  
U.S. DISTRICT COURT  
DISTRICT OF NEBRASKA  
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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	8:06CV366
	)	
\$12,980.00 IN UNITED STATES	)	ORDER
CURRENCY,	)	
	)	
Defendant.	)	

NOW ON THIS 31 day of January, 2008, this matter comes on before the Court upon the Stipulation of the parties (Filing No.     ). The Court reviews the file and the Stipulation, and, being duly advised on the premises, finds as follows:

1. Two thousand nine hundred eighty dollars of the Defendant property should be returned to the Claimants, Eric Martin and Mo Heaps, by delivering the same to the trust account of their attorney of record, Donald B. Fielder.

2. Pursuant to this Court's Order dated May 15, 2006 (Filing No. 5), the United States Marshal for the District of Nebraska ("Marshal") has published notice of his intent to dispose of the property in such a manner as the Attorney General may direct. An Affidavit of Publication was filed herein on July 7, 2006 (Filing No. 8). In response to said published notice, no person or entity has filed a Petition setting forth any legal or equitable interest in the Defendant property.

3. The balance of the Defendant property, viz., \$10,000.00, should be forfeited to the United States.

4. The parties' Stipulation should be approved.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED as follows:

A. The parties' Stipulation is hereby approved.

B. Two thousand nine hundred eighty dollars of the Defendant property shall be returned to the Claimants, Eric Martin and Mo Heaps, by delivering the same to their attorney of record, Donald B. Fiedler. The Marshal shall deliver said amount by making payment to Donald B. Fiedler's Trust Account.

C. Pursuant to this Court's Order dated May 15, 2006 (Filing No. 5), the Marshal has published notice of his intent to dispose of the property in such a manner as the Attorney General may direct. An Affidavit of Publication was filed herein on July 7, 2006 (Filing No. 8). No person or entity has filed a Petition, in response to said published notice, setting forth any legal or equitable interest in the subject property.

D. The remaining Defendant property, viz., \$10,000.00, is hereby forfeited to the United States. All right, title or interest in or to the Defendant property held by any person or entity is hereby forever barred and foreclosed.

E. The Marshal shall dispose of said \$10,000.00 in accordance with law.

F. Upon Mr. Fiedler's receipt of the \$2,980.00, as mentioned above, he shall file a Receipt for said amount. Upon the filing of said Receipt, this Court shall enter a Judgment in this action.

BY THE COURT:

  
JOSEPH F. BATAILLON  
CHIEF UNITED STATES DISTRICT JUDGE

Prepared and submitted by:

Nancy A. Svoboda (#17429)  
Attorney for the Plaintiff  
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Approved as to form and content:

\$12,980.00 IN UNITED STATES  
CURRENCY, Defendant, and  
ERIC MARTIN and MO HEAPS, Claimants

By: Donald B. Fiedler  
DONALD B. FIEDLER (#11283)  
Attorney at Law  
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